

AO 187 (Rev. 7/87) Exhibit and Witness List

United States District Court
DISTRICT OF MASSACHUSETTS

John Hancock

v.

Vermont

EXHIBIT AND WITNESS LIST

CASE NUMBER: 05 cv 11614

PRESIDING JUDGE

Young

TRIAL DATE(S)

5/1

PLAINTIFF'S ATTORNEY

Davis

COURT REPORTER

Womack

DEFENDANT'S ATTORNEY

Scher

COURTROOM DEPUTY

Smith

PLF NO.	DEF NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES
		5-d-06			John Ferrige
			C2	111	pages from Avonnet website
					Timothy Malik
		5/3/06			Timothy Malik
					Jury quart #1
					Ivor Thomas
					Helene McCole
					James Koller
		5/4/06			James Koller
			AB	112	"Teaser File"
			AS	113	June 15 e-mail
			AY	114	July 20 e-mail
					Joan Wzalewicz
					Simon Platt
			AB		Chart from Anti Effort report
					Joseph Kelly
					Jury quart #2
		5/15/06			Joseph Kelly
			X	115	email from DeLillo to Kelly
				116	deed 4/18/06
					Linda Spevick
					Richard Johnson

* include a notation as to the location of any exhibit not held with the case file or not available because of size.

AO 187A (Rev. 7/87)

EXHIBIT AND WITNESS LIST – CONTINUATION

[illegible]

TRIAL EXHIBITS ADMITTED IN EVIDENCE

May 7, 2006

Ex. No.	Document Description	Date	Bates Range	Deposition Exhibit Number (if used as one)	Date Admitted	Witness
1	2004 Lending Guidelines		JH 01468-01893		05/03/06	Malik Direct
2	Examples of Reserve Calculations (with handwriting)		JH01119	Malik 17	05/03/06	Malik Direct
4	JH Graphs of Cash Balances		JH 01412-01420	Uzdavinis 12 and 13	05/04/06	Uzdavinis Direct
5	Manulife Credit Procedures		JH 01894-02277		05/03/06	Malik Cross
6	Representative Projects for Vesterra		JH 00803	Koller 2; Kelly 2	05/02/06	Ferrie Direct
7	Vesterra Corporation's Principals		JH 00779	Koller 1; Kelly 1	05/02/06	Ferrie Direct
13	JH Term Sheet with handwriting	6/18/04	V 1181-1188	Koller 3; Kelly 3; Ferrie 7	05/03/06	Koller Direct
19	JH Term Sheet without handwriting	7/21/04	JH 00733-00737	Koller 6; Ferrie 8	05/02/06	Ferrie Direct
21	E-mail from Ferrie to Kelly	7/29/04	JH00219-00289	Kelly 6; Ferrie 9 (00219 only)	05/02/06	Ferrie Cross
26	Letter from T. Malik to Ferrie	7/30/04	JH00162-163		05/03/06	Koller Direct
28	Loan Application/Commitment	7/30/04	JH 00958-01028	Koller 8; Kelly 5; Coyne 5	05/02/06	Malik Cross
39	Interest Rate Circle Notification	8/2/04	JH 01109-01117	Nectow 1; Uzdavinis 2	05/04/06	Ferrie Direct
41	E-Mail from J. Ferrie to T. Malik	8/2/04	JH0127-128		05/03/06	Uzdavinis Cross
45	JH Internal Approval Documents	8/6/04	JH 01128-01148	Coyne 1; Henderson 3	05/03/06	Malik Cross
47	E-mail from Malik to Ferrie	8/11/04	JH 00131-00132	Malik 4; Ferrie 3; Coyne 2; Henderson 4	05/02/06	Ferrie Direct
48	E-Mail from J. Ferrie to R. Kelly	8/11/04	JH00133-134		05/03/06	Malik Cross
49	E-Mail from T. Malik to D. Henderson	8/12/04	JH01175		05/04/06	Ferrie Direct
50	JH Internal Approval Documents	8/16/04	JH 00405-00425	Kelly 27; Ferrie 16; Malik 1; Henderson 6; Coyne 3; Uzdavinis 3	05/02/06	Malik Cross
51	Memo from Malik to Thomas and Henderson	8/16/04	JH 01176	Henderson 7	05/03/06	Kelly Cross

Ex. No.	Document Description	Date	Bates Range	Deposition Exhibit Number (if used as one)	Date Admitted	Witness
52	Memo from P. Coyne to T. Malik	8/17/04	JH01174		05/03/06	Malik Cross
54	Letter from H. McCole to J. Kelly	8/18/04	V0604		05/02/06	Ferrie Cross
60	2005 Lending Guidelines	1/25/05	JH 02278-02514		05/04/06	Kelly Cross
63 60	E-mail from Depolis to Ferrie	4/14/05	JH 00153		05/03/06	Malik Cross
66	Letter from McCole to MSP (Kelly)	5/10/05	JH 00699-722		05/02/06	Ferrie Direct
67	E-mail from Ferrie to Malik	5/16/05	JH 01194-01195		05/04/06	Kelly Cross
70	E-mail from J. Ferrie to J. Kelly	6/6/05	JH 00912	Kelly 21	05/02/06	Ferrie Direct
72	E-mail from Ferrie to Malik	6/9/05	JH01196	Koller 12	05/02/06	Ferrie Direct
73	Fax from JH to Kelly and Costa	6/16/05	JH 00483-00485	Kelly 15	05/03/06	Malik Direct
74	E-mail from McCole to Kelly	6/21/05	JH01197	Kelly 16	05/04/06	Koller Direct
75	E-mail from McCole to Kelly	6/23/05	V 0564-0565		05/04/06	Kelly Cross
104	Expert Report of Linda C. Spavacek	3/24/06			05/04/06	Kelly Cross
106	E-mail from Malik to Roseen	5/31/05	JH01211-1212		05/04/06	Koller Recross
108	Invoice from Vens to Randolph Ross	03/31/06		Johnson 8	05/02/06	Ferrie Direct
109	Web page from Blaha regarding Corporate Debt Rating Systems			Johnson 10	05/05/06	Johnson Cross
111	Avenel Web Pages (formerly CZ)				05/05/06	Johnson Cross
112	E-mail from Marcus to Kelly with Teaser (formerly AB)	05/25/05			05/02/06	Ferrie Direct
113	E-mail from Kelly to Koller (formerly AJ)	06/15/05	V1637-1642		05/04/06	Koller Cross
114	E-mail from Jordan to Kelly and Koller (formerly AY)	07/20/05	V2299-2325		05/04/06	Koller Cross
115	E-mail from Delillo to Kelly (formerly X)	5/12/2005	V 2236-2245		05/05/06	Kelly Cross
116	Deed between Montgomery Square Partnership and Avenel Realty Co., Inc. (formerly CQ)	4/18/06			05/05/06	Kelly Cross

117 Date of return on JA
investments